

Charges filed in police-fire pension probe

Ex-trustee accused of theft, ethics breach

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A former Dayton police detective who served on the Ohio police and fire pension board was accused in an indictment Friday of grand theft and an ethics violation.

A Franklin County grand jury charged Thomas Bennett with accepting travel and other gratuities that improperly influenced his work as a member of the Ohio Police & Fire Pension Fund board.

In May, the Ohio Ethics Commission reported to Franklin County Prosecutor Ron O'Brien that it had found evidence of possible misdeeds involving some pension board members. The agency reported that four vendors all of which helped the board manage its investments provided more than \$200,000 worth of meals, trips and other freebies to trustees, their staff members and families.

Yesterday's indictment accused Bennett of receiving "dinners, golf, alcoholic beverages, tickets to sporting events, hotel costs and incidentals, boat rental/fishing trips, holiday parties, transportation and gifts that total thousands of dollars."

The gratuities came from four firms hired by the pension board to manage its assets and investments, according to the indictment, which identifies the firms as American Express/Northwinds Marketing, Lend Lease Real Estate Investment Inc., Lowe Enterprises and RREEF America L.C.

The grand theft charge against Bennett, a fifth-degree felony, centers on mileage that Bennett charged to the pension board for driving his city-of-Dayton car to board meetings in Columbus, O'Brien said.

About two years ago, Bennett repaid the pension board \$4,479.75 "when he realized he may have received some improper mileage" said his attorney, Richey Hollenbaugh of Columbus.

"We believe that constitutes full restitution," Hollenbaugh said.

Bennett repaid the money after a fellow trustee, Patrick Patton, was investigated for improper mileage reimbursements. Patton pleaded guilty to theft in office and tampering with records.

Bennett retired as a detective last month and stepped down as an elected pension board trustee.

His departure followed newspaper reports that he and fellow board members, Cleveland police Detective Robert Beck and Dayton firefighter David Harker, spent **\$612,451** on out-of-state travel and other expenses between 1998 and 2003.

Harker, who chaired the board, resigned in September 2003. Beck, who succeeded him, remains on the panel.

Bennett has agreed to cooperate with an investigation into "other past and present pension board members," O'Brien said in an interview.

Beck said he has not been called before the grand jury, and he emphasized his cooperation with investigators.

"The fund is in no jeopardy," Beck said. "We are moving on into the future."

Allegations of excessive spending by board members were reported by the Dayton Daily News as retirees from all five of the state's pension systems learned that underperforming investments were causing them to pay more for health care.

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